

STATE OF MAINE  
KENNEBEC, ss.

DISTRICT COURT  
LOCATION - AUGUSTA  
CIVIL ACTION  
DOCKET NO. RE-16-64

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THE BANK OF NEW YORK MELLON, AS  
TRUSTEE FOR CDC MORTGAGE CAPITAL  
TRUST 2004-HE3,

**PLAINTIFF**

v.

AEGIS LENDING CORPORATION, and/or the  
Heirs and/or successors of it, and anyone  
claiming by, through, or under it, and the legal  
heirs, representatives, devisees, assigns, trustees  
in bankruptcy, disseizors, creditors, lienors and  
any and all other persons unascertained or not in  
being or unknown or out of this state and all  
other persons who may claim any right, title,  
interest, or estate, legal or equitable, in the land  
and real estate and mortgage through or under it,

**PROPERTY ADDRESS:**  
1558 Hallowell Road, Litchfield,  
Kennebec County, Maine

**MORTGAGE RECORDED IN:**  
Kennebec County Registry of Deeds  
in Book 7992 at Page 180

**TITLE TO REAL ESTATE IS  
INVOLVED**

**DEFENDANTS**

MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC.  
and  
ANDREW WARLICK,

**PARTIES-IN-INTEREST**

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**CONSENTED TO JUDGMENT AND ORDER**

This matter came before the Court on December 7, 2018. Plaintiff having appeared, Defendant Aegis Lending Corporation having not appeared, Party-In-Interest Mortgage Electronic Registration Systems, Inc. having not appeared, and Party-In-Interest Andrew Warlick having appeared personally and through counsel, Wenonah M. Wirick, Esq., and having consented to judgment, the Court finds as follows:

1. The Court finds that all parties have received notice of the proceeding in accordance with the applicable provisions of the Maine Rules of Civil Procedure and not via other Order of this Court.

**EXHIBIT**

AUGUSTA COURTS  
DEC 21 '18 AM9:58

It is HEREBY ORDERED

1. That DEFAULT is hereby entered with respect to Aegis Lending Corporation, and/or the heirs and/or successors of it, and anyone claiming by, through, or under it, and the legal heirs, representatives, devisees, assigns, trustees in bankruptcy, disseizors, creditors, lienors and any and all other persons unascertained or not in being or unknown or out of this state and all other persons who may claim any right, title, interest, or estate, legal or equitable, in the land and real estate and mortgage through or under, and Mortgage Electronic Registration Systems, Inc.
2. That a Declaratory Judgment is granted in Plaintiff's favor, vesting to Plaintiff any interest it does not currently hold such that it results in a full, complete, unsplintered legal title to the Mortgage.

It is FURTHER ORDERED, ADJUDGED, AND DECREED that the rights, status and legal relationship as follows:

3. That Plaintiff The Bank of New York Mellon as Trustee for CDC Mortgage Capital Trust 2004-HE3 holds full ownership interest in the Mortgage recorded in the Kennebec County Registry of Deeds in Book 7992 at Page 180 and that Plaintiff its successors and/or assigns are the mortgagee of the Mortgage for all purposes, including without limitation, 14 M.R.S. §6321 and § 6111 (as amended). A further description of the real estate involved in this matter is attached hereto as Exhibit B.
4. That Original Lender Aegis Lending Corporation and/or Aegis Lending Corporation and/or the heirs and/or successors of it, and anyone claiming by, through, or under it, and the legal heirs, representatives, devisees, assigns, trustees in bankruptcy, disseizors, creditors, lienors and any and all other persons unascertained or not in being or unknown or out of this state and all other persons who may claim any right, title, interest, or estate, legal or equitable, in the land and real estate and mortgage through or under it (hereinafter referred as to as the "Unknown Defendants"), and Mortgage Electronic Registration Systems, Inc. (hereinafter "MERS"), retain no interest not otherwise vested hereby;
5. That Original Lender Aegis Lending Corporation, the Unknown Defendants, and MERS having neither answered nor appeared, and thus having failed to show cause as of the date of entry hereof, if one or more of them fail to do so (show cause, or bring an action, or either, or both) prior to the statutory period for filing an appeal, that Original Lender, the Unknown Defendants, and MERS be forever barred from claiming any right, title or interest superior to or distinct from the party claiming to be current mortgagee of the Mortgage, other than the Landowner's (Andrew Warlick) equity of redemption as would be his when granting a mortgage as mortgagors to a mortgagee; and
6. That recordation of an attested copy of this Judgment and Order, in the applicable Kennebec County Registry of Deeds, shall have the force and effect as if any and all

necessary instruments were duly executed and recorded in said Registry, to effectuate such transfer and such status as aforesaid.

The following provisions are set forth pursuant to 14 M.R.S.A. § 2401:

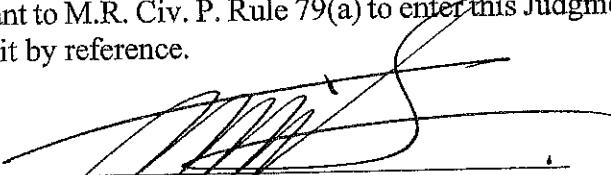
7. The names and addresses, if known, of all parties to the action, including the counsel of record (if any or known), are on Schedule A attached hereto.
8. The docket number is RE-16-64.
9. The street address of the real estate involved is 1558 Hallowell Road, Litchfield, Kennebec County, Maine.
10. The description of the real estate involved is on Schedule B attached hereto.
11. Plaintiff is responsible for recording the attested copy of the judgment and for paying the appropriate recording fees.

The Clerk is hereby directed to enter this Judgment as a final judgment pursuant to Rule 54(b)(1).

The Clerk is specifically directed pursuant to M.R. Civ. P. Rule 79(a) to enter this Judgment on the civil docket by a notation incorporating it by reference.

Date:

12/21/2018

  
Hon. William R. Stokes

Date entered in the docket book:

12/21/18

CERTIFICATION OF CLERK PURSUANT TO 14 M.R.S.A. § 2401(3)(F)

Pursuant to 14 M.R.S. § 2401(3)(F), it is hereby certified that no notice of appeal of the Judgment was filed with the Clerk of Court in this action within the appeal period following the entry of judgment.

Dated: \_\_\_\_\_, 2018

\_\_\_\_\_  
Clerk of Court

**SCHEDULE A**  
**To Judgment**

**Plaintiff:**

The Bank of New York Mellon as  
Trustee for CDC Mortgage Capital  
Trust 2004-HE3  
c/o Nationstar Mortgage, LLC d/b/a  
Mr. Cooper  
8950 Cypress Waters Blvd.  
Coppell, TX 75019

**Counsel:**

Brock and Scott, PLLC  
1080 Main Street, 200  
Pawtucket, RI 02860

**Defendant:**

Aegis Lending Corporation  
10049 North Reiger Road  
Baton Rouge, LA 70809

**Counsel:**

None known

**Defendant:**

Aegis Lending Corporation, referred  
to as the legal heirs, representatives,  
devisees, assigns, trustees in  
bankruptcy, disseizors, creditors,  
lienors and any and all other persons  
unascertained or not in being or  
unknown or out of this state and all

other persons who may claim any  
right, title, interest, or estate, legal or  
equitable, in the hereafter described  
land and real estate and mortgage  
through or under it

**Address:**

in several different locations and/or  
their whereabouts are not known at  
this time

**Counsel:**

None known

**Party in Interest:**

Mortgage Electronic Registration  
Systems, Inc.  
P.O. Box 2026  
Flint, MI 48501-2026

**Counsel:**

None known

**Party in Interest:**

Andrew Warlick  
181 Sabattus Road  
Sabattus, ME 04280

**Counsel:**

Conley & Wirick, P.A.  
31 Union Street  
Bath, ME 04530

**SCHEDULE B**  
**Description of the Real Estate**

A certain lot or parcel of land, together with the buildings thereon, situated in Litchfield, County of Kennebec and State of Maine, bounded and described as follows:

Commencing on the easterly side of the road leading from Purgatory Mills to Litchfield Corner at the southwest corner of land now or formerly of Eliot A. Mason and Eunice E. Mason; thence easterly one hundred fifty (150) feet, more or less, to a stake; which has been driven, forming a new southerly boundary of the land now or formerly of Eliot A. Mason and Eunice E. Mason; thence southerly one hundred (100) feet, more or less, to land formerly of one Thurston and now or formerly of Ralph Farrington, forming a new westerly boundary of the land now or formerly of Eliot A. Mason and Eunice E. Mason; thence westerly one hundred fifty feet (150), more or less, to the said road; thence along said road one hundred (100) feet, more or less, to the point of beginning. Meaning and intending to convey a parcel of land one hundred fifty (150) feet, more or less, by one hundred (100) feet, more or less.

Any and all other rights, easements, privileges and appurtenances belonging to the granted estate are hereby conveyed.

Being the same premises as described in the deed from Harold J. Shields and Donald W. Babbie to Andrew P. Warlick dated October 3, 2002 and recorded in Kennebec County Registry of Deeds, Book 7089 Page 286.